

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

MID-PACIFIC REGION

CENTRAL CALIFORNIA AREA OFFICE
FOLSOM, CALIFORNIA


FINDING OF NO SIGNIFICANT IMPACT

Execution of Temporary Warren Act Contract with San Diego County Water Authority (SDCWA) and a Refill Agreement with Placer County Water Agency (PCWA) to Facilitate a Non-CVP Water Transfer from PCWA

Central Valley Project
Sacramento, California

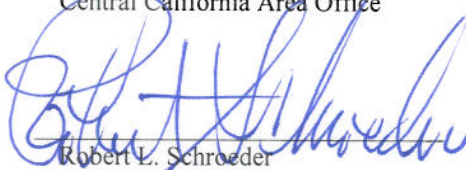
FONSI-09-05

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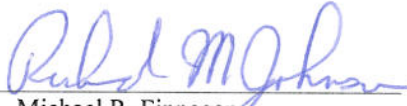
Date: July 31, 2009

Concurred by:


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Date: July 31, 2009

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Date: July 31, 2009

Execution of Temporary Warren Act Contract with SDCWA and a Refill Agreement with PCWA to Facilitate a Non-CVP Water Transfer from PCWA

In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Central California Area Office of the U.S. Bureau of Reclamation (Reclamation), has determined that the execution of a Temporary Warren Act (WA) contract with SDCWA and a Refill Agreement with PCWA to facilitate a transfer of up to 20,000 acre feet (af) of non-CVP water from PCWA's Middle Fork Project Reservoirs to SDCWA, is not a major Federal action that would appreciably affect the quality of the human environment and an environmental impact statement is not required. This Finding of No Significant Impact (FONSI) is supported by Reclamation's Environmental Assessment (EA) Number EA-09-05, "*Placer County Water Agency Water Transfer to San Diego County Water Authority.*"

BACKGROUND

Temporary water transfers have been advocated as a critically important mechanism to the distribution of water throughout California. Severe impacts from the water shortage caused by general drought conditions and reduced SWP deliveries to SDCWA and other agricultural districts within San Diego County compelled Governor Arnold Schwarzenegger to issue Executive Order S-06-08 on June 4, 2008, which proclaimed a condition of statewide drought. This Executive Order orders the California Department of Water Resources (DWR) to "[f]acilitate water transfers in 2008 to timely respond to potential emergency water shortages..." Importantly, the Governor also ordered "that the emergency exemptions in sections 21080(b)(3) and 21172 of the Public Resources Code shall apply to all activities and projects ordered and directed under this proclamation, to the fullest extent allowed by law." In its August 28, 2000 Record of Decision (ROD) for the CALFED Bay-Delta Program (CALFED) Final Programmatic Environmental Impact Statement/Environmental Impact Report, water transfers were identified as a key component of a long-term comprehensive plan to restore the ecological health and improve water management for beneficial uses of the San Francisco Bay/Sacramento-San Joaquin Delta (Bay-Delta) estuary system.

In order to move water to an area of high need in response to the drought conditions, PCWA proposes a water transfer of up to 20,000 AF of its 2009 water supplies currently stored in its Middle Fork Project (MFP) reservoirs on the Rubicon and American Rivers to SDCWA for use within the SDCWA service area. To facilitate the transfer, Reclamation proposes to execute a one-year Warren Act contract for up to a total of 20,000 AF of PCWA water that may be stored in Federal facilities (i.e., Folsom Reservoir).

The 20,000 AF of transfer water will be used to compensate for reduced supplies to the San Diego County Water Authority (SDCWA) service area due to drought conditions and regulatory constraints. Metropolitan Water District of Southern CA (Metropolitan) is a wholesaler of water supplies to SDCWA. Metropolitan recently reduced SDCWA's supplies by approximately 13 percent. The 20,000 AF of transfer water, in combination

with mandatory restrictions and water conservation proposed by SDCWA, will lessen the reduction from 13 to approximately 8 percent.

All Non-Project Water delivered to SDCWA pursuant to the temporary Warren Act Contract shall be used as replacement water for M&I water purposes.

PCWA intends to enter into an agreement with the SDCWA to implement a one-year temporary transfer of non-CVP water (up to 20,000 AF) to be released from the MFP Reservoirs and delivered to SDCWA ("Transfer Project") over the months of July through September 2009; and

Reclamation requires that PCWA's 2009 agreement with SDCWA is conditioned upon execution of an agreement between Reclamation and PCWA establishing conditions on PCWA's refilling of its MFP Reservoirs (following the transfer) to protect Folsom Reservoir from adverse water supply impacts due to the Transfer Project.

ALTERNATIVES CONSIDERED

Under the proposed action, PCWA proposes to transfer its Middle Fork Project water to SDCWA on a temporary basis in order to relieve current drought conditions. To facilitate the transfer, Reclamation proposes to implement a temporary WA contract for up to a total of 20,000 AF of PCWA water rights water that may be temporarily stored in Folsom Reservoir. Additionally, in order to protect Folsom Reservoir and the CVP from adverse water supply impacts due to the proposed water transfer, Reclamation requires that PCWA's 2009 agreement with SDCWA be conditioned upon execution of an agreement between Reclamation and PCWA establishing conditions on PCWA's refilling of its MFP Reservoirs (following the transfer). Under the No-Action Alternative, Reclamation would not enter into a temporary WA contract with SDCWA or refill agreement with PCWA. Therefore, SDCWA would not receive the option of storage of up to 20,000 AF of PCWA transfer water in CVP facilities. Consequently, there may be no change to facility releases that flow into the Middle Fork and North Fork American River, Lower American River, Sacramento River, and the Delta; there may be less water delivered to customers in SDCWA's service area; and water levels may remain higher in PCWA's MFP reservoirs. SDCWA may seek other sources for water supply under the No-Action Alternative.

FINDINGS

Upon review of the proposed water transfer of up to 20,000 acre-feet (AF) of water from PCWA to SDCWA for use within the SDCWA service areas, Reclamation has determined that no significant environmental impacts would result from the Transfer Project for the following reasons:

- 1. Water Supply and Hydrology:** On the basis of a drought declaration by the State, SDCWA requires additional M&I water during the drought. The Proposed Action would not involve construction or modification of any facilities. Only existing facilities would be utilized to divert and store water.

Export pumping from the pumping plants would not change during periods sensitive to Delta fisheries (i.e., July – September). There would be no anticipated decreases in water supply to CVP and PCWA customers. Flows for all three months are based on a range of 100-800 cfs. Therefore, the proposed Transfer Project would have no effect on water supply and hydrology.

2. **Surface Water Quality:** Water quality would not be degraded as a result of the Proposed Action. Water transferred under the Proposed Action would not contribute to cumulative water quality effects. Short-term flows and storage changes in the proposed Transfer Project's rivers and reservoirs may actually provide slightly better water quality by increasing the dilution of contaminants or would not change water quality at all. Therefore, the proposed Transfer Project would have no effect on surface water quality.
3. **Hydropower:** Water transferred under the proposed Transfer Project would not contribute to hydropower effects. Generally all releases would be made through appropriate power plants and generate power. The water being pumped is non-CVP water and the associated pumping energy costs would be borne by SDCWA using commercial energy provided by the existing power grid. As a consequence, CVP Project Energy use would not increase. Therefore, the proposed Transfer Project would have no effect on hydropower generation and use.
4. **Fisheries and Aquatic Resources:** The EA considered changes in reservoir storage, Nimbus Dam releases, Delta inflows and export pumping in the proposed project area during July through September 2009, under the Proposed Action Alternative. Changes in flows in the lower American River would range from 100-800 cfs (average monthly releases) and cold water pool affects would be minimal. Also, flows in other rivers (lower Sacramento North and Middle Forks of the American River, and Sacramento-San Joaquin Delta), reservoir storage, Delta inflows and export pumping would not be appreciably changed. Therefore, the analysis concluded that the proposed Transfer Project is not likely to adversely affect salmonids, delta smelt, green sturgeon, and other fish and aquatic resources, including their critical habitat residing in the Project area.
5. **Terrestrial and Riparian Resources:** The proposed action is a water transfer and is not expected to have any measurable impact on terrestrial species.
6. **Recreation:** Under the Proposed Action, recreational opportunities within the project footprint are not expected to change. While minor fluctuations in flow and storage capability are expected, these fluctuations are within the range of normal flow fluctuations resulting from SWP and CVP operations. Therefore, recreational opportunities would not be affected.

7. **Cultural Resources:** The Proposed Action would not modify existing water conveyance facilities and would not include activities that would result in ground disturbance. Therefore, cultural resources would not be affected as a result of the Proposed Action.
8. **Indian Trust Assets:** The Proposed Action would not involve construction or modification of any facilities. Only existing facilities would be utilized to divert and redivert water. Land uses within the PCWA and SDCWA service areas would not change as a result of the transfer. The Proposed Action would not affect ITAs since the nearest ITA to the Action Area is Auburn Rancheria, which is approximately twenty miles east of the Action Area. Therefore, ITAs would not be affected.
9. **Environmental Justice:** The Proposed Action would have no negative effect on minority or low-income populations within the Action Area. The Proposed Action would have a beneficial effect because additional M&I water would alleviate economic utility stress on all segments of the local community.
10. **Land Use:** Without the proposed Transfer Project, M&I land use may be affected by a lack of water supply. The proposed Transfer Project would replace supplies lost due to regulatory constraints and mandatory conservation measures to provide some replacement water supply for M&I use on lands within SDCWA's service area. The water supply to be replaced (up to 20,000 AF) is a small percentage of the total water supply demand for SDCWA's service area. Therefore, the proposed Transfer Project could have a small beneficial effect on land use.
11. **Socioeconomics:** The transfer of up to 20,000 AF of water to SDCWA would provide some relief to the current drought conditions in the area, and would help sustain existing M&I water purposes within SDCWA's service area. The proposed Transfer Project would not induce population growth within SDCWA, nor would seasonal labor requirements change. No adverse effects to public health and safety would occur. The proposed Transfer Project would not have highly controversial or uncertain environmental effects or involve unique or unknown environmental risks. SDCWA is responsible for managing water for the benefit of M&I use. Maximizing the use of water transfers in the current drought conditions is beneficial to local economic conditions. The proposed Transfer Project would help to maintain localized socioeconomics due the support of M&I use from the transferred water.
12. **Wild and Scenic Rivers:** Within the proposed Transfer Project area, the North Fork of the American River and Lower American River are nationally designated as Wild and Scenic Rivers. The Middle Fork and Lower North Fork of the American River are considered Eligible for national listing as Wild and Scenic Rivers. Rivers may be classified as wild, scenic, or recreational. The proposed Transfer Project would not measurably affect the wild, scenic or recreational value of the previously mentioned portions of river

because the proposed Transfer Project would not notably affect flows in these rivers and would not encourage growth inducing effects. Therefore, the status of the aforementioned portions of the American River would not be affected by the proposed Transfer Project.

The impact analysis includes assessments of aquatic resources and other water-related resources and activities (e.g., recreation, riparian communities, and cultural resources). Growth inducing impacts will not occur due to the temporary nature of the Transfer Project and because the transfer water is being used to replace part of the water supply that SDCWA did not receive this year.

Reclamation concludes that implementation of the proposed Transfer Project, as defined, would not notably affect the quality of the human environment or natural resources in the project area.

Federally listed, threatened, or endangered, fish species and their designated critical habitat are not likely to be adversely affected by the proposed Transfer Project. Since the proposed transfer project will not result in any construction or land-use changes, there will be no effect on any archaeological or historical resources. The Proposed Transfer Project will not affect Indian Trust Assets.

The proposed Transfer Project will have no impact to economic or employment opportunities so it is consistent with Executive Order 12989 concerning impacts on minority or low income populations. No cumulative impacts will be experienced.